

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

LG.PHILIPS LCD CO., LTD., :
 :
Plaintiff, :
 :
v. : Civil Action No. 04-343-JJF
 :
TATUNG CO., TATUNG COMPANY :
OF AMERICA, INC., and :
VIEWSONIC CORP., :
 :
Defendants. :

O R D E R

At Wilmington, this 13 day of July 2007, for the reasons
discussed in the Opinion issued this date;

IT IS HEREBY ORDERED that:

1. ViewSonic Corporation's Objections To Finding In
Special Master's Report And Recommendation Regarding LG.Philips'
Motion To Compel Viewsonic To Provide Discovery On Advice Of
Counsel (D.I. 409) is SUSTAINED.

2. Defendant Tatung Company's and Tatung Company of
America, Inc.'s Objections To Special Master's Report And
Recommendations Regarding (A) LG.Philips LCD Co., Ltd's Motion To
Compel Tatung Defendants To Provide Discovery On Advice Of
Counsel And Duty Of Care; And (B) The Tatung Defendants' Cross
Motion To Bifurcate Discovery (D.I. 679) is SUSTAINED.

3. The Special Master's Reports and Recommendations (D.I.
385, 658) are NOT ADOPTED to the extent that they conclude that
an advice of counsel defense must be pled in an answer under

Federal Rule of Civil Procedure 8(c) as an affirmative defense to a claim of willful infringement.

4. The Special Master's Report and Recommendation dated May 8, 2007 is also reversed insofar as it denied the request of the Tatung Defendants to bifurcate discovery.

5. Defendants shall notify LPL in writing **by August 1, 2007**, whether they intend to rely upon the advice of counsel defense.

6. Discovery on the advice of counsel defense shall be completed **by September 5, 2007**, with the specific details of such discovery to be set by the Special Master in consultation with the parties.


UNITED STATES DISTRICT JUDGE